



Public Notice

**US Army Corps
of Engineers**

Memphis District

REFERENCE:
U.S. ARMY CORPS OF ENGINEERS
REPLY TO ATTN: Roger Allan
167 North Main Street, RM B202
Memphis, TN 38103-1894
Telephone: (901) 544-3682
Email: Roger.S.Allan@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO.
MVM-2008-195-RSA

Public Notice Date
September 4, 2008

Expiration Date
October 6, 2008

JOINT PUBLIC NOTICE: This public notice is issued jointly with the Missouri Department of Natural Resources. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources, Water Protection Program, P. O. Box 176, Jefferson City, MO 65102-0176.

AUTHORITY: This notice announces an application submitted for a Department of the Army Permit under Section 404 of the Clean Water Act, pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986.

APPLICANT: Leila Rice Oldsen Family Trust
Attn: Philip Oldsen
207 Homecrest Street
Kennett, MO 63857
Phone (573) 717-1480

LOCATION: The site is located approximately 8 miles west of Hayti, MO, at the intersection of U.S. Highway 412 and CR 283, in Pemiscot County, MO, at latitude 36.2366° and longitude -89.8930°, in the southwest quarter of Section 32, Township 19N, Range 11E. The project area is shown on the enclosed location map (attachment 1), based on the Deering, MO, 7.5 minute quadrangle.

PURPOSE: To fill approximately 2.3 acres of farmed wetlands to improve irrigation and farm productivity.

DESCRIPTION OF WORK: The project site contains approximately 2.3 acres of farmed wetlands that are associated with the old channel of Clay Root Bayou (see attachment 2). The applicant proposes to grade the property and fill the subject farmed wetlands in order to improve irrigation and farm productivity. The applicant proposes to mitigate impacts to wetlands by establishing 3.0 acres of wetlands abutting the old channel of Clay Root Bayou (attachment 3). Up to one foot of material would be removed from the proposed wetland mitigation area and 50 bald cypress (*Taxodium distichum*) trees would be planted within the wetland. The applicant has proposed to monitor the established wetland mitigation area for five years following project completion. Material excavated from the mitigation area and from the adjacent crop fields would be used to fill the subject wetlands and to create rice levees along the channel of Clay Root Bayou to maintain the existing drainage pattern. The soil within the farmed wetlands is mapped as Sharkey silty clay loam and, to a smaller extent, Cooter and Crevasse silty clay loams. The soil within the proposed mitigation area is mapped as Sharkey silty clay loam.

The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

404(b)1 EVALUATION: The Corps of Engineers evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

THREATENED & ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area.

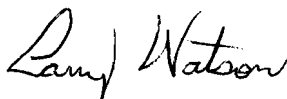
PUBLIC INTEREST REVIEW: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally-listed Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for the proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity.

Any person who has an interest, which may be affected by the deposition of this material, may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest, which may be affected, and the manner in which the interest may be affected by this activity. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

If you wish to obtain additional information or to submit comments on the application, please contact Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, RM B202, Memphis, Tennessee 38103-1894, telephone 901/544-3682.

Comments should be forwarded to reach this office by October 6, 2008.



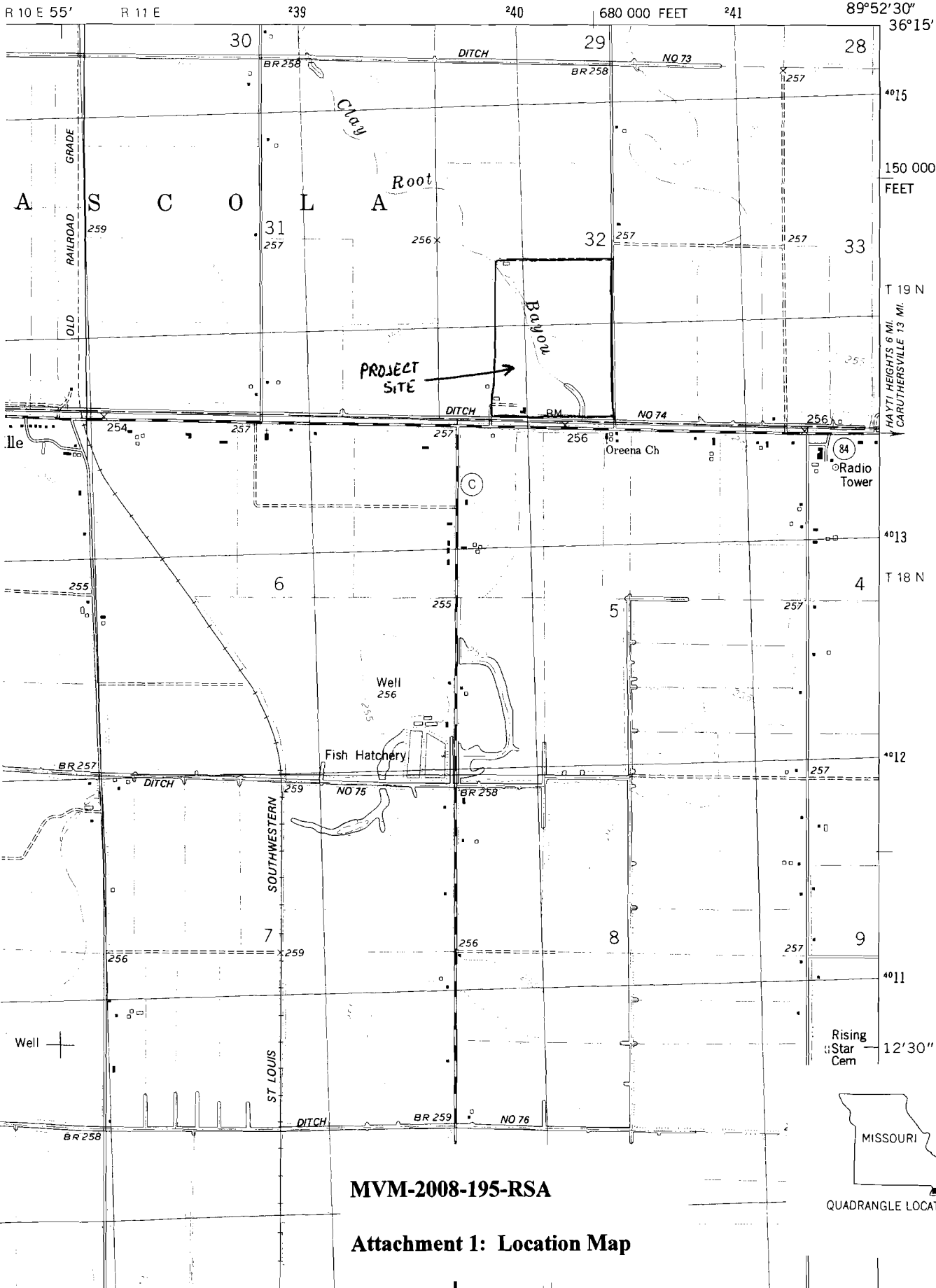
Larry Watson
Chief
Regulatory Branch

Enclosures

DEERING QUADRANGLE
MISSOURI
7.5 MINUTE SERIES (TOPOGRAPHIC)

NW/4 HAYTI 15' QUADRANGLE

8056 IV SE
(WARDLE)



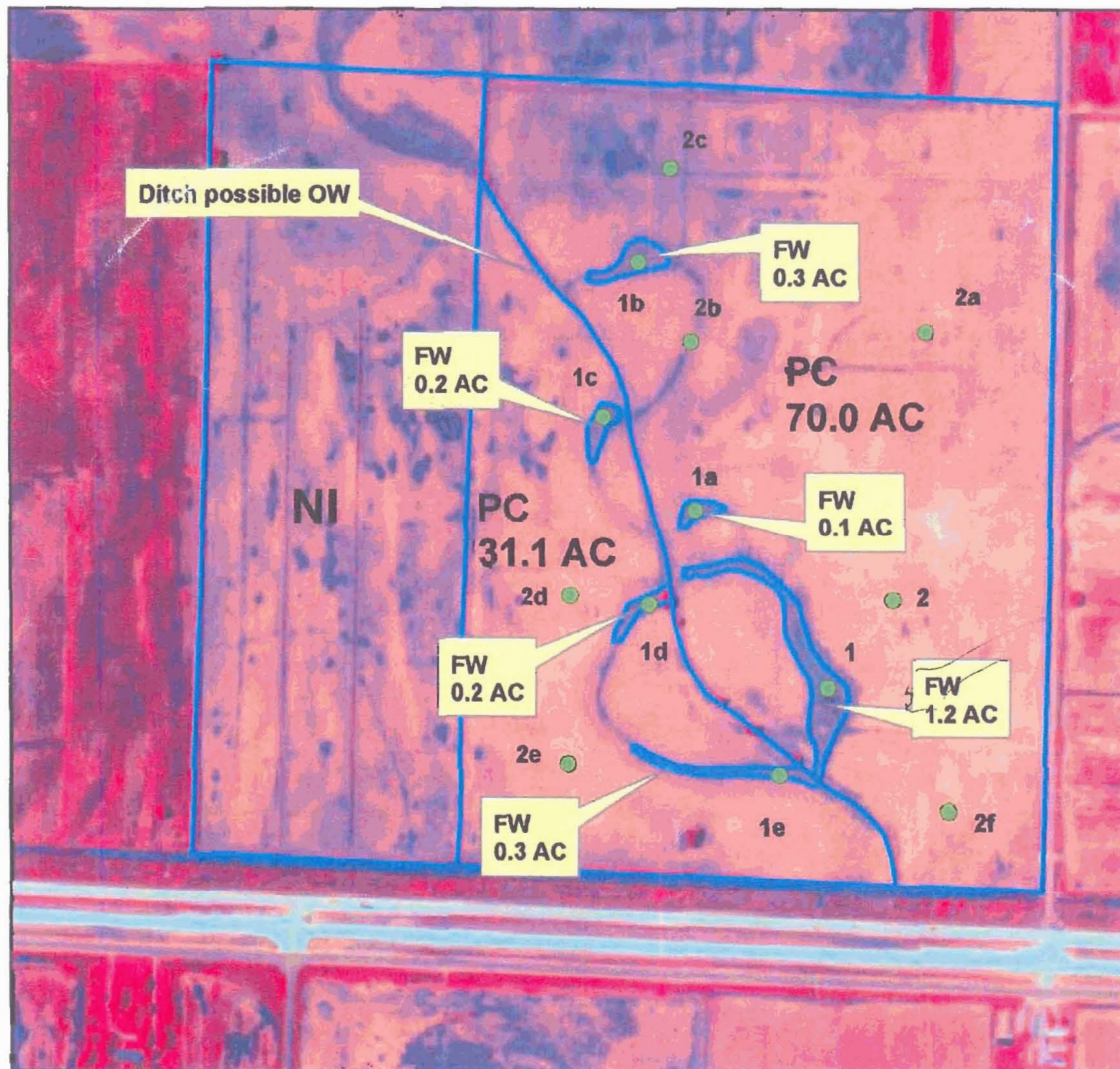
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Attachment 1: Location Map



MAP 1

Certified Wetland Determination Leila Oldsen Tract 1139



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Attachment 2: Existing Wetlands

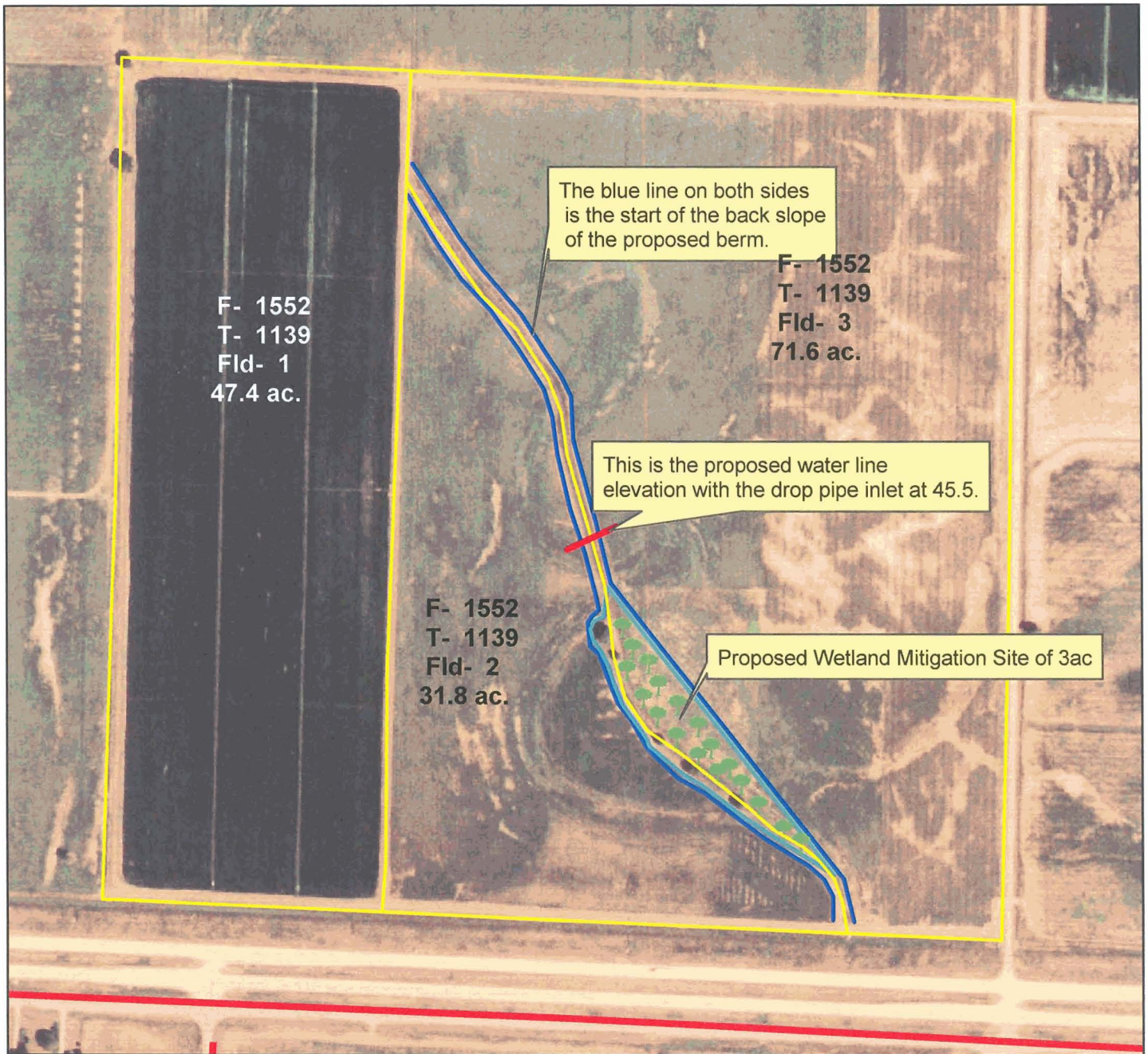
Proposed Wetland Mitigation Site

Customer(s): LEILA RICE OLDSSEN FAMILY TRUST
District: PEMISCOT COUNTY SOIL & WATER CONSERVATION DISTRICT

Field Office: CARUTHERSVILLE SERVICE CENTER
Agency: NRCS

Legal Description: S32 T19N R11E

State and County: MO, PEMISCOT



Legend

- Consplan
- Trees
- Wetland
- Levees for Rice fields
- highways_I_mo155



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Attachment 3: Wetland Mitigation Details

